

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

CITY OF DETROIT, MICHIGAN,

Debtor.

)
) Chapter 9
)

) Case No. 13-53846
)

) Hon. Steven W. Rhodes
)

**CREDITORS AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL
EMPLOYEES LOCAL 3308 AND LOCAL 917'S RESPONSE TO DEBTOR'S
REQUESTS FOR PRODUCTION OF DOCUMENTS**

Creditors, Local 3308 AND Local 917 of the American Federation of State, County and Municipal Employees ("Creditors" or "Locals 917 and 3308"), by and through their attorneys, Miller Cohen, P.L.C., submit the following response to Debtor's Request for Production of Documents. Notably, Debtor submitted this document request concurrently with another document of the same name. The Creditors have made a good faith effort to respond to the Debtors request for documents.

GENERAL OBJECTIONS

Creditors, whether or not the objections are separately and specifically set forth in the response to each Request, make the following general objections to each of the Requests. Notably, Creditors object to Debtors ambiguous form of discovery. Indeed, it is apparent that Debtor's method of requesting discovery is not tailored to the specific claims of Locals 917 and 3308's claims. Instead, it appears the Debtor has submitted a template request with several obviously inapplicable requests. Additionally, Creditors make the following objections:

1. Creditors generally object to each Definition, Instruction, and Request to the extent that they purport to impose a burden of ascertaining information that is not available to Creditors

or within their possession or control, or is equally and/or already available to Debtor.

2. Creditors generally object to each Definition, Instruction, and Request to the extent that they call for the discovery of information subject to a claim of privilege or immunity, including, without limitation, the attorney-client or work-product privilege.

3. Creditors generally object to each Definition, Instruction, and Request to the extent that they purport to impose a burden of ascertaining information that is not available to Creditors or within their possession or control, or within the Creditors' possession, custody or control.

4. Creditors generally object to each Definition, Instruction, and Request because Defendant is seeking documents that are not specifically described, where the request is vague and ambiguous. Moreover, the requests do not seem to be related, in any way, to the narrow issues that they have with their Objections to the Plan. The requests seem to be form requests intended for other creditors.

REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST #1:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding the Plan...

RESPONSE:

1. Locals 917 and 3308 object as the request is overly broad, unduly burdensome, vague, ambiguous and not relevant. Stating further without waiving any objection, there are none as Creditors understand the request..

REQUEST #2:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding any alternative to the Plan. This requests includes, but is not limited to, documents that address:

- a. The effects on you or other creditors;
- b. The cost of operating the City of Detroit;
- c. What constitutes an adequate level of City services;
- d. Levels of recovery for unsecured creditors (with or without a “Grand Bargain”);
- e. Comparable cities and, if applicable, the basis for concluding those cities are comparable;
- f. Asset sales by the City of Detroit;
- g. Tax collection rates (wagering, property, and/or income) in the short term (*i.e.*, five years), medium term (*i.e.*, twenty years), and long term (*i.e.*, forty years); and
- h. Reinvestment and restructuring initiatives (*i.e.* police services; fire services; blight removal; information technology infrastructure and/or the City’s Department of Transportation).

RESPONSE:

- 2. Locals 917 and 3308 object as the request is overly broad, unduly burdensome, vague, ambiguous and not relevant. Stating further without waiving any objection, there are none as Creditors understand the request.

REQUEST #3:

All documents relating to any research, studies, or analysis conducted by requested, reviewed, or received by you or on your behalf that address any plans or intentions by you to

challenge other creditors' claims and/or their recoveries if the Plan is confirmed. A full response will include any underlying assumptions.

RESPONSE:

3. Presently, none.

REQUEST #4:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding how the Plan, if confirmed, would impact your claims.

RESPONSE:

4. Locals 917 and 3308 object as the request is overly broad, unduly burdensome, vague, ambiguous and not relevant. Stating further without waiving any objection, there are none as Creditors understand the request.

REQUEST #5.

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding your or other creditors' current financial status.

RESPONSE:

5. Locals 917 and 3308 object as the request is overly broad, unduly burdensome, vague, ambiguous and not relevant.

REQUEST #6:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding your or other creditors' projected financial condition under different recovery levels.

RESPONSE:

6. Locals 917 and 3308 object as the request if overly broad, unduly burdensome, vague, ambiguous and not relevant.

REQUEST #7:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding your or other creditors' projected financial condition in the event the Plan is not approved or is dismissed.

RESPONSE:

7. Locals 917 and 3308 object as the request if overly broad, unduly burdensome, vague, ambiguous and not relevant.

REQUEST #8:

All documents relating to any claims by you against the City of Detroit, whether any such claims have been purchased or sold, the price at which any such claims were purchased or sold, and the date(s) on which any such claims were purchased or sold.

RESPONSE:

8. None.

REQUEST #9:

All documents relating to any communications between you (or on your behalf) and any government regulators (foreign or domestic) related to the City of Detroit bankruptcy, the Plan, or your City of Detroit debt holdings.

RESPONSE:

9. None.

REQUEST #10:

All Documents relating to any communications between you (or on your behalf) and any government entities (listed below) or officials, directors, officers, agents, representatives, or employees thereof regarding the City of Detroit's bankruptcy. This request includes, but it not limited to, any efforts to enact legislation concerning, or any effort to obtain funds for, the City of Detroit. The request includes documents relating to communications with:

- a. The White House;
- b. Any United States executive branch agencies or departments;
- c. The United States Congress;
- d. The Executive Office of the Governor of the State of Michigan;
- e. The State of Michigan Legislature;
- f. The City Council of the City of Detroit; and
- g. The Office of the Mayor of the City of Detroit.

RESPONSE:

10. None.

REQUEST #11:

All documents relating to any communications between you (or on your behalf) and the U.S. Trustee regarding the Plan.

RESPONSE:

11. None.

REQUEST #12:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding the City of Detroit's future creditworthiness with or without Plan approval.

RESPONSE:

12. Locals 917 and 3308 object as the request is overly broad, unduly burdensome, vague, ambiguous and not relevant. Stating further without waiving any objection, there are none as Creditors understand the request.

REQUEST #13:

All documents relating to any common interest agreements between you and any other City of Detroit creditors.

RESPONSE:

13. None.

REQUEST #14:

All documents relating to any joint defense agreements between you and any other City of Detroit creditors.

RESPONSE:

14. None.

REQUEST #15:

All documents relating to any research, studies, or analysis conducted by, requested, reviewed, or received by you or on your behalf regarding debt limits or post-2006 assessments related to Limited Tax General Obligations.

RESPONSE:

15. None.

REQUEST #16:

All documents relating to any notifications to any insurance carriers, including but not limited to potential/actual malpractice or breach of fiduciary duty claims since January 1, 2004.

RESPONSE:

16. None.

REQUEST #17:

All documents relating to any communications between you (or on your behalf) and any other unions, any union members, retiree associations, retiree association members, or retirees related to the City of Detroit bankruptcy or the Plan.

RESPONSE:

17. Locals 917 and 3308 object as the request is overly broad, unduly burdensome, vague, ambiguous and not relevant.

REQUEST #18:

All documents referring to any property included in the Detroit Institute of Arts, or the value of any such property included in any evaluation of the City of Detroit, the creditworthiness of the City of Detroit, or the ability of the City of Detroit to pay its debts. This request is limited to the period prior to January 1, 2013.

RESPONSE:

18. None.

REQUEST #19:

All documents relied upon by any experts you intend to call to testify at the hearing regarding the Plan.

RESPONSE:

19. None.

REQUEST #20:

All documents related to any analysis of "unfair discrimination" in the Plan.

RESPONSE:

20. None.

REQUEST #21:

All documents related to any communications by you (or on your behalf) with any other creditor or creditor group regarding City of Detroit pensions.

RESPONSE:

21. None.

REQUEST #22:

All documents related to any calculations of pension claims or individual retiree pensions, including the bases, methodologies, and assumptions underlying those calculations.

RESPONSE:

22. None.

REQUEST #23:

All documents referred to, reviewed, consulted, or relied on in responding to Debtor's Interrogatories (served herewith) and not otherwise produced in response to these Requests for Production of Documents.

RESPONSE:

23. None.

Respectfully submitted,

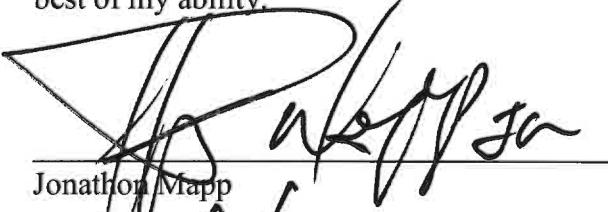
MILLER COHEN, P.L.C.

By: /s/ Robert D. Fetter
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Dated: May 7, 2014

VERIFICATION

I, Jonathon Mapp, have reviewed the attached Creditors American Federation of State, County, and Municipal Employees Local 3308 and Local 917's response to Debtor's requests for Production of Documents and provided the answers to the best of my ability. The answers were prepared on the advice of counsel. The answers are what I could provide as of the date I signed below. I reserve the right to make any changes if more information becomes apparent, or if the answers provided could be more complete or accurate. These answers are true and accurate to the best of my ability.



Jonathon Mapp




Date

VERIFICATION

I, Lisa Kirklin, have reviewed the attached Creditors American Federation of State, County, and Municipal Employees Local 3308 and Local 917's response to Debtor's requests for Production of Documents and provided the answers to the best of my ability. The answers were prepared on the advice of counsel. The answers are what I could provide as of the date I signed below. I reserve the right to make any changes if more information becomes apparent, or if the answers provided could be more complete or accurate. These answers are true and accurate to the best of my ability.



Lisa Kirklin



Date